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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,175	04/30/2001	John E. Brezak	MS1-646US	4174

22801	7590	05/08/2007
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EXAMINER	
DADA, BEEMNET W	

ART UNIT	PAPER NUMBER
2135	

NOTIFICATION DATE	DELIVERY MODE
05/08/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

lhptoms@leehayes.com

**Office Action Summary**

Application No.

09/846,175

Applicant(s)

BREZAK ET AL.

Examiner

Beemnet W. Dada

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 January 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2,5-12,15-22,25 and 26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5-12, 15-22, 25 and 26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Arguments*

1. In view of the Appeal Brief filed on 01/05/2007, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. In the appeal brief filed 01/05/2007, applicant argued that the art on record Hillhouse (US 6,052,468) fails to teach generating at least one indicator that identifies a user and is associated with and identifies at least one authentication mechanism that has been used to authenticate the user, ... wherein the at least one characteristic associated with the authentication mechanism includes a measure of strength of the authentication mechanism. Applicant's arguments have been fully considered and are persuasive. The rejections of claims 1, 2, 5-12, 15-22 and 25-26 under 35 USC 102(e) as being anticipated by Hillhouse (US 6,052,468) has been withdrawn.

3. Claims 1, 2, 5-12, 15-22, 25 and 26 are pending.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 21, 22, 25 and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "configured to" in claims 21 does not necessarily incorporate the cited claim limitations into the resulting claim. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 2, 5-12, 15-22, 25 and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Wood et al. US 6,609,198 B1 (hereinafter Wood).
7. As per claims 1, 10, 11 and 20, Wood teaches a method for use in a computer capable of supporting multiple authentication mechanisms, the method comprising:
- generating at least one indicator that identifies a user (i.e., session id, principal id, user id, etc...), and is associated with and identifies at least one authentication mechanism that has

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been used to authenticate the user (i.e., associated authentication scheme) [column 19, lines 1-11 and column 20, lines 1-17], and is associated and identifies at least one authentication mechanism that has been used to authenticate the user [column 19, lines 1-11 and column 20, lines 1-17], wherein generating the indicator further includes identifying within the indicator at least one characteristic associated with the authentication mechanism, wherein the at least one characteristic associated with the authentication mechanism includes a measure of strength of the authentication mechanism (i.e., trust level associated with various authentication methods and where higher trust level indicates a higher strength of authentication mechanism) [column 20, lines 17-35]; and

controlling the user's access to at least one resource based on the indicator [column 20, lines 17-35].

8. As per claims 21 and 26, Wood teaches an apparatus comprising:

at least one authentication mechanism configured to generate at least one indicator that identifies a user (i.e., session id, principal id, user id, etc.), and identifies the authentication mechanism that has been used to authenticate the user (i.e., associated authentication scheme) [column 19, lines 1-11 and column 20, lines 1-17], wherein the indicator further includes at least one identifying characteristic associated with the authentication mechanism [column 19, lines 1-11 and column 20, lines 1-17], wherein the at least one identifying characteristic associated with the authentication mechanism indicates a measure of strength of the authentication mechanism (i.e., trust level associated with various authentication methods and where higher trust level indicates a higher strength of authentication mechanism) [column 20, lines 17-35];

an access control list [column 12, lines 51-65 and 13, lines 11-25];

at least one access control resource [column 12, lines 51-65 and 13, lines 11-25]; and

logic operatively configured to compare the indicator with the access control list and selectively control the user's access to the resource based on the indicator [column 12, lines 51-65, 13, lines 11-25 and column 20, lines 17-35].

9. As per claims 2, 12 and 22, Wood further teaches the system wherein, generating the indicator further includes receiving inputs, providing the inputs to the authentication mechanism, and causing the authentication mechanism to generate at least one security identifier (SID) that identifies the authentication mechanism [column 19, lines 1-11 and column 20, lines 1-17].

10. As per claims 5, 15 and 25, Wood further teaches the system, wherein the measure of strength of the authentication mechanism identifies a length of an encryption key employed by the authentication mechanism (i.e., see figure 4, session credentials, long, short 64bit etc.).

11. As per claims 6-9 and 16-19, Wood further teaches the system, wherein controlling access to the resource based on the indicator further includes comparing the indicator to at least one access control list having at least one access control entry therein [column 12, lines 51-65, 13, lines 11-25 and column 20, lines 17-35].

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

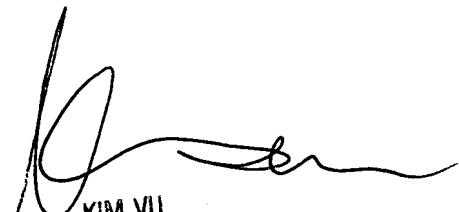
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Beemnet W Dada

April 29, 2007



KIM VU  
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